

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Sylvia Quintero,

Plaintiff,

-against-

MEMORANDUM & ORDER
19-CV-06126 (DG) (RLM)

George Stoupas and Angels of The World, Inc.,

Defendants.

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DIANE GUJARATI, United States District Judge:

On October 30, 2019, Plaintiff Sylvia Quintero commenced this action against Defendants George Stoupas and Angels of The World, Inc. (collectively, “Defendants”), alleging sex discrimination, race discrimination, and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*; 42 U.S.C. § 1981 *et seq.*; the New York State Human Rights Law, N.Y. Exec. Law § 290 *et seq.*; and the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107 *et seq.* (“NYCHRL”). *See generally* Complaint, ECF No. 1.¹ Defendants were served, *see* Executed Summonses, ECF Nos. 13-14, but did not appear in the action, and the Clerk of Court entered default against them on December 14, 2020, *see* Entry of Default, ECF No. 24.

On March 1, 2021, Plaintiff moved for default judgment against Defendants pursuant to Federal Rule of Civil Procedure 55(b)(2). *See* Motion for Default Judgment (the “Motion”), ECF No. 25; Affirmation in Support of Motion for Default Judgment, ECF No. 25-1; Memorandum in Support of Motion for Default Judgment, ECF No. 26. I referred the Motion to

¹ The Complaint brought twelve Causes of Action. Plaintiff subsequently voluntarily dismissed without prejudice the Eighth through Twelfth Causes of Action. *See* July 7, 2021 Scheduling Order at 1-2, ECF No. 35; Letter Response to July 7, 2021 Order, ECF No. 36; July 16, 2021 Order.

Magistrate Judge Roanne L. Mann for a Report and Recommendation (“R&R”). *See* March 2, 2021 Order.

On September 10, 2021, Judge Mann issued a thorough and well-reasoned R&R recommending that I grant Plaintiff’s Motion in substantial part, to the extent set forth in Judge Mann’s R&R. *See* Report and Recommendation, ECF No. 44. No objection has been filed to the R&R, and the time for doing so has passed. *See id.* at 40.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b). To accept those portions of an R&R to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Jarvis v. N. Am. Globex Fund L.P.*, 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (quotation marks omitted). Clear error will be found only when, upon review of the entire record, the Court is left with “the definite and firm conviction that a mistake has been committed.” *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006) (quotation marks omitted).

I have reviewed Judge Mann’s R&R, and, having found no clear error, adopt the R&R in its entirety.

Therefore, Plaintiff’s Motion for Default Judgment is granted to the extent set forth in Judge Mann’s R&R, and Plaintiff is awarded judgment against Defendants Angels of The World, Inc. and George Stoupas, jointly and severally, in the amount of \$228,933.33, plus pre-judgment interest on the back-pay award of \$183,933.33, from November 12, 2016, until the entry of judgment, and post-judgment interest pursuant to 28 U.S.C. § 1961(a). Consistent with Judge Mann’s R&R, default judgment is denied as to Plaintiff’s retaliation claim brought under the

NYCHRL (the Seventh Cause of Action) and as to the remaining retaliation claims against Defendant Stoupas (contained in the Third and Fifth Causes of Action).

The Clerk of Court is directed to enter judgment accordingly.

Plaintiff is directed to serve a copy of this Order on Defendants by certified mail and to file proof of service no later than October 6, 2021.

SO ORDERED.

/s/ Diane Gujarati

DIANE GUJARATI

United States District Judge

Dated: September 29, 2021
Brooklyn, New York